

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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PARK LANE-RENO PARTNERS, LLC,

Plaintiff,

v.

SYUFY ENTERPRISES, LP,

Defendant.

Case No. 3:20-cv-00596-MMD-CLB

ORDER

Defendant Syufy Enterprises, LP removed this case from Nevada state court on October 22, 2020, on the basis of diversity jurisdiction. (ECF No. 1.) District courts have original jurisdiction over civil actions where the matter is between citizens of different states, and where the amount in controversy exceeds \$75,000. *See* 28 U.S.C. § 1332(a). Although corporations are citizens of any state in which they are incorporated or have their principal place of business, “an LLC is a citizen of every state of which its owners/members are citizens.” *Johnson v. Columbia Props. Anchorage, LP*, 437 F.3d 894, 899 (9th Cir. 2006). The same goes for LPs like Defendant. *See id.*

Defendant asserts that complete diversity exists because “Plaintiff is a Delaware limited liability company” and Defendant “is a citizen of the State of California.” (ECF No. 1 at 2-3.) But as “the party asserting diversity jurisdiction, [Defendant] bears the burden of proof[.]” *Kanter v. Warner-Lambert Co.*, 265 F.3d 853, 857-58 (9th Cir. 2001). Defendant has not met its burden. Instead, Defendant has yet to identify the state citizenships of any members of Plaintiff (a LLC), or Defendant (a LP). *See Johnson*, 437 F.3d at 899 (explaining that the citizenship of individual members of both LPs and LLCs matters for purposes of diversity jurisdiction). Defendant’s petition for removal (ECF No.

1 1) thus does not appear to satisfy the diversity of citizenship requirement under 28 U.S.C.
2 § 1332(a).

3 It is therefore ordered that Defendant must show cause why the Court should not
4 remand this case for lack of subject matter jurisdiction. Defendant is permitted to
5 supplement its statement regarding removal (ECF No. 1) with a document that identifies
6 the state citizenships of each member of Plaintiff Park Lane-Reno Partners, LLC, along
7 with Defendant Syufy Enterprises, LP. Defendant must file the supplement within 10 days
8 of the date of entry of this Order. Plaintiff may file a response to Defendant's supplement
9 within five days of Defendant's filing.

10 DATED THIS 23rd Day of October 2020

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13 MIRANDA M. DU
14 CHIEF UNITED STATES DISTRICT JUDGE
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